

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN M. JONES,

Defendant.

8:10CR110

ORDER

The defendant appeared before the court on March 28, 2019 regarding Amended Petition for Warrant or Summons for Offender Under Supervision [59]. Richard H. McWilliams represented the defendant. John E. Higgins represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Warrant or Summons for Offender Under Supervision [47]. The government's oral motion to dismiss Petition for Offender [47] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before District Judge Robert F. Rossiter, Jr. in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska on May 1, 2019 at 9:00 a.m.

The government moved for detention based upon danger. The defendant requested a detention hearing which was held. The defendant met his/her burden to establish by clear and convincing evidence that he/she will not flee or pose a danger to any other person or to the

community. Fed. R. Crim. P. 32.1(a)(6). The government's motion for detention is denied, and the defendant shall be released on the current terms and conditions of supervision [Obtain a substance abuse evaluation and follow recommendations; Curfew from 10:00 p.m. to 6:00 a.m. Sign modification of conditions of supervision. 18 U.S.C. § 3143(a)(1).

IT IS SO ORDERED.

Dated this 28th day of March, 2019.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge